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CLERK US DISTRICT COURT DISTRICT OF NEVADA	
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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

ANTHONY BUTLER,

Plaintiff,

v.

NEVADA DEPT OF CORRECTIONS et al.,

Defendants.

Case No. 3:18-cv-00344-MMD-VPC

ORDER

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections ("NDOC"), has filed a "notice of intent" to file a civil rights complaint. (ECF No. 1-1). Plaintiff has not filed an actual complaint or an application to proceed *in forma pauperis* in this matter.¹

Pursuant to Federal Rule of Civil Procedure 3, "[a] civil action is commenced by filing a complaint with the court." Fed. R. Civ. P. 3. As such, the Court grants Plaintiff thirty (30) days from the date of this order to submit a complaint to this Court.

Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. Plaintiff

¹ The Clerk of the Court inadvertently opened this case in the unofficial Southern Division for the District of Nevada. (ECF No. 1). On July 18, 2018, the Clerk of Court transferred the case to the unofficial Northern Division and opened the case under 3:18-cv-00344-MMD-VPC. (ECF No. 3).

1 will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the
2 alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application
3 to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma*
4 *pauperis*.

5 **II. CONCLUSION**

6 For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL
7 SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner,
8 as well as the document entitled information and instructions for filing an *in forma pauperis*
9 application.

10 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,
11 Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on
12 the correct form with complete financial attachments in compliance with 28 U.S.C. §
13 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing
14 fee and the \$50 administrative fee).

15 IT IS FURTHER ORDERED that Plaintiff shall submit a complaint to this Court
16 within thirty (30) days from the date of this order.

17 IT IS FURTHER ORDERED that the Clerk of the Court shall send to Plaintiff the
18 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same. The
19 Clerk of the Court shall also send Plaintiff a copy of his notice of intent to file a complaint.
20 (ECF No. 1-1).

21 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
22 dismissal of this action may result.

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1 IT IS FURTHER ORDERED that the Clerk of the Court send Plaintiff a courtesy
2 copy of the docket sheet.

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4 DATED THIS 18th day of July 2018.

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6 UNITED STATES MAGISTRATE JUDGE
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